IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Paek et al.		
Serial No. :	09/830,899	Group Art Unit:	2171
Filed :	August 13, 2001	Examiner:	Leroux, Etienne Pierre
Title:	DESCRIPTION SCHEMES FOR MPEG-7 IMAGE/VIDEO CONTENTS DESCRIPTION		

PRE-APPEAL BRIEF REQUEST FOR REVIEW

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

on 10/14/05
Date of Deposit

Robert L. Maier

54,291
PTO Registration No.

BOX AF
Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action of July 5, 2005, Applicants have filed a Response After Final and a Notice of Appeal. In conjunction with those concurrently-filed papers, Applicants respectfully request a pre-appeal brief review of the Final Office Action in light of the below Remarks.

REMARKS

In the Office Action, claims 1-43 were finally rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Application Publication No. 2001/0000962 of Rajan (hereinafter "Rajan"). Applicants respectfully traverse the rejections of record, and further submit that claims 1-43 are in condition for allowance.

A Notice of Appeal is also filed concurrently herewith. However, for at least the following reason, Applicants believe that the rejections in the Final Office Action are clearly improper. Accordingly, Applicants request that the rejections of record be withdrawn.

Applicants incorporate herein the arguments set forth in the concurrently-filed Response After Final Rejection.

Rejections under 35 U.S.C. § 102(e) in view of Rajan

Claims 1-43 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Rajan. However, these rejections are improper, for at least the reason that Rajan fails to disclose or even remotely suggest the claimed "object extraction processing." Indeed, the Examiner has cited no portion of Rajan which discloses or suggests this feature.

Independent claim 1 is directed to a system for generating a description record from multimedia information, comprising, *inter alia*:

> a computer processor, coupled to said at least one multimedia information input interface, receiving said multimedia information therefrom, processing said multimedia information by performing **object extraction processing to generate multimedia object descriptions** from said multimedia information, and

processing said generated multimedia object descriptions by object hierarchy processing to generate multimedia object hierarchy descriptions indicative of an organization of said object descriptions, wherein at least one description record including said multimedia object descriptions and said multimedia object hierarchy descriptions is generated for content embedded within said multimedia information

The remaining independent claims in this application include similar limitations in the context of a method claim and a computer-readable medium claim.

Generally speaking, the present invention relates to MPEG-7, which includes techniques for describing and organizing multimedia information. As described in the Background of the Invention (starting at p. 1 of the specification), the prior art provides means for searching textual information, both on the internet and locally. However, there was no means for searching multimedia content. An aim of MPEG-7 is to process multimedia such as video data to extract information about what is shown in the video and provide descriptions that may later aid in searching or cataloging the video.

Rajan is directed to a method and apparatus for composing and presenting multimedia programs using a different standard -- the MPEG-4 standard -- at a multimedia terminal, including an architecture wherein the composition of a multimedia scene and its presentation are processed by two different entities – a "composition engine" and a "presentation engine." *See* Rajan, ¶ 0002. The MPEG-4 standard generally "allows a user to interact with video and audio objects within a scene," and allows a user to modify scenes by deleting, adding, or repositioning objects, or changing the characteristics of objects, such as size, color, and shape, for example. *See* Rajan, ¶ 0004. Rajan is thus directed to a different problem, i.e., composing and presenting multimedia video, from that of the

present invention, which is instead directed to techniques for describing multimedia information content to enable intelligent searching of multimedia content via, e.g., the Internet. *See* Specification, p.1 , lines 1-4, p. 9, lines 23-29. This distinction is inherent in the differences between the field of the Rajan reference (MPEG-4) and the field of the present invention (MPEG-7), and would be immediately understood by one of ordinary skill in the art.

Rajan does not anywhere disclose or suggest at least the limitation of "processing said multimedia information by *performing object extraction processing* to generate multimedia object descriptions." Indeed, the lack of such teaching in Rajan is not surprising, since although object extraction is a key step in the present invention (which relates to MPEG-7 multimedia description techniques), it is entirely unnecessary for the purposes of MPEG-4 and Rajan (multimedia composition and presentation).

The Examiner, on pp. 4-6 of the Final Office Action, maintains that ¶¶ 0042 – 0046 of Rajan disclose all elements of claim 1. Applicants respectfully disagree. Not only do these paragraphs *not* disclose all elements of the claim, they are not even directed to solving the same problem as the claimed invention, and, moreover, do not even relate to the same subject matter.

The Examiner alleges that ¶ 0042 of Rajan discloses the claimed object extraction. However, ¶ 0042 of Rajan states:

> According to the MPEG-4 Systems standard, the scene description information is coded into a binary format known as BIFS (Binary Format for Scene). This BIFS data is packetized and multiplexed at a transmission site, such as a cable and or satellite television headend, or a server in a

> computer network, before being sent over a communication channel to a terminal 100. The data may be sent to a single terminal or to a terminal population. Moreover, the data may be sent via an open-access network or via a subscriber network.

This portion of Rajan is directed to BIFS (Binary Format for Scene) coding, a technique set forth in the MPEG-4 standard and which has no relation to the object extraction for generating multimedia descriptions of the claimed invention.

Accordingly, because Rajan fails to disclose or suggest at least this crucial claimed feature, and is in fact related to an entirely different objective and invention, this reference fails to anticipate the independent claims of the present invention. Applicants respectfully request that the rejections of record be withdrawn, for at least this reason, in addition to those further reasons provided in Applicants' concurrently-filed Response After Final.

Respectfully submitted,

Paul A. Ragusa
PTO Reg. No. 38,587

Robert L. Maier
PTO Reg. No. 54,291

Attorneys for Applicants
(212) 408-2538

BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, NY 10112